

Attorney Docket No. 990301

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of

Vassilovski and Tong

Serial No. 09/698,526

Filed: October 26, 2000

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For: METHOD AND APPARATUS FOR  
CONFIGURATION  
MANAGEMENT FOR A  
COMPUTING DEVICE

) Group No. 2124

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SEP 17 2004

PETITION TO WITHDRAW HOLDING OF ABANDONMENT  
UNDER 37 CFR 1.181(a)

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

PETITION

Applicants hereby petition to withdraw the holding of abandonment based on the following:

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CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being:

MAILING

- ☐ deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

FACSIMILE

- ☒ transmitted by facsimile to the Patent and Trademark Office.

Depositor's Name: Stacy Dumrauf  
(type or print name)

Date: September 17, 2004

Signature: Stacy Dumrauf

1. A Final Office Action was mailed January 14, 2004.
2. Applicants filed a Response on April 8, 2004.
3. An Advisory Action was mailed on May 5, 2004.
4. A Telephone Interview was conducted on May 26, 2004.
5. Applicants filed a Response by facsimile based on the Advisory Action and the Telephone Interview on May 27, 2004, believing that the claims, which were amended based on the telephone interview with the Examiner and his Supervisor, would be in condition for allowance.

The Examiner called on September 15, 2004, stating that the application is now abandoned for failure to respond to Advisory Action. During the conversation, the Examiner stated that he had not received the facsimile response filed on May 27, 2004.

Applicants hereby enclose a copy of the facsimile filing on May 27, 2004, and a copy of the facsimile confirmation sheet to prove the transmission was successful.

Based on Applicants evidence of facsimile filing on May 27, 2004, Applicants hereby contend that the application is not in fact abandoned and request the withdraw of the holding of abandonment.

#### FEE

Applicants do not believe that any fees are due. If, however, it is determined that fees are owed, Applicants hereby authorize that such fees be charged to Deposit Account No. 17-0026.

Respectfully submitted,

Dated: September 17, 2004

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